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Committee on the Peaceful Uses of Outer Space

Unedited transcript

438th Meeting
Thursday, 5 June 1997, 10.30 a.m.
Vienna

Chairman: Mr. RAO (India)

The meeting was called to order at 10.40 a.m.

The CHAIRMAN: I now declare open the 438th meeting of the Committee on the Peaceful Uses of Outer Space. This morning we will continue our joint consideration of items 7 and 9, "Report of the Scientific and Technical Subcommittee on the work of its thirty-fourth session", and "Implementation of the Recommendations of UNISPACE 82, as well as Preparations by the Preparatory Committee for the Third UNISPACE Conference". We will also continue our consideration of agenda item 8, "Report of the Legal Subcommittee". Time permitting, we may also begin our consideration of agenda item 10, "Spin-off Benefits of Space Technology", and agenda item 11, "Other matters". I would therefore remind all delegations wishing to speak on any of these agenda items to inscribe their names with the Secretariat as soon as possible.

We will follow the same pattern during this afternoon's meeting, when we will continue our joint consideration of agenda items 7 and 9, and agenda item 8. Before beginning our discussion on items 7 and 9 this morning, I would like to bring to the meeting's attention a request we have received from one non-governmental organization, the International Space University, for observer status with the Committee. The related correspondence and statutes of this organization were circulated at the thirty-fourth session of the Scientific and Technical Subcommittee for the information of Member States (document A/AC.105/C.1/1997/CRP.7). This document has been re-circulated by the Secretariat and can be found in delegations' pigeon holes.

Report of the Scientific and Technical Subcommittee on the work of its thirty-fourth session (cont.)

Implementation of the Recommendations of UNISPACE 82, as well as Preparations by the Preparatory Committee for the United Nations Third UNISPACE Conference (cont.)

The CHAIRMAN: The first speaker on my list is the distinguished representative of the Russian Federation.

Mr. E. ZVEDRE (Russian Federation) *(interpretation from Russian)*: My delegation would like to address one of the most important issues discussed at the thirty-fourth session of the Scientific and Technical Subcommittee, namely the problem of space debris.

The Russian Federation, which is actively involved in national research on the problem of technically generated pollution of near Earth space, attaches major importance to the work being carried out in the Subcommittee on the three-year plan in considering the scientific and technical aspects of this problem. Promising results were achieved at the Subcommittee's last session in discussions of issues relating to the second part of the special report on space debris: modelling of the space debris environment and evaluation of risks. There were also additions and corrections made to the first part, which was adopted in 1995 and is devoted to issues of observation, tracking, measurement and the cataloguing of space debris.

The results of these discussions are reflected in the annex to the Subcommittee's report. My delegation welcomes the active participation by most delegations in both the plenary meetings and in the context of the working group set up for that purpose. We would like to thank Member States of COPUOS for the inclusion in their delegations of specialists and professionals in the area of problems encountered in the field of man-made space pollution, which enabled the Subcommittee's work to be even more productive.

My delegation believes that the technical report on space debris, which should in future become the scientific and technical foundation for practical measures to deal with this very urgent problem, must be a comprehensive and practical document. Its development must therefore be accompanied by the use of as many specialists as possible from among Member States. Use should also be made of the expertise of specialized international agencies, such as the Inter-Agency Coordination Committee on Space Debris, which includes experts from nine of the major launching space agencies.

Given the tight time framework of the Subcommittee's session, to prepare the corresponding section of the report from scratch and then to reach agreement with all concerned delegations and take into account all suggestions and additions is not an easy task for the working group. Therefore, in order to proceed in a systematic way with the work on the report, my delegation believes that such work should be carried out during the inter-sessional period. Furthermore, due to new discoveries on this problem which continue to emerge, we feel that those parts of the report which are already complete should remain open to incorporation of any new results which come to light, and comments by specialists on the problem of man-made space pollution.

My delegation put forward proposals on this subject at the last session of the Subcommittee, and these are reflected in the Subcommittee's report. We believe it would nevertheless be useful to repeat these proposals here. In essence, we have suggested that the Chairman of the Subcommittee, Professor Rex, should be entrusted, during the inter-sessional period, with the task of developing and reaching agreement with Member States of COPUOS on the structure of the next part of the report, with the assistance of the Office for Outer Space Affairs. Following this, suggestions put forward by States should be circulated and incorporated in the draft report prepared by the Chairman himself. At least one month before the next session of the Subcommittee, the composite text should be sent to Member States for preliminary consideration.

My delegation believes that proceeding in this manner will allow the report to be more focused and informative, and will serve to address those issues not sufficiently covered by the report at present. For example, it does not sufficiently detail the role and significance of the two unique catalogues of space objects, namely the Russian and American catalogues, which are constantly being updated and are based on data from the only two systems of space control which currently exist. These are therefore of major importance with respect to all other catalogues and databases on space debris.

If we are to truly solve the problem of space debris, attention should also be drawn to the need for regular exchange of catalogues of space objects between the Russian and American space control systems. At present, in the context of the Russian/ American Commission on scientific and technical cooperation, which is co-chaired by the Russian Prime Minister [name] and United States Vice-President Al Gore, the contours of further bilateral coordination are being sketched out in terms of joint monitoring of near Earth space. The tracking of the entry of risk-bearing objects into the dense layers of the atmosphere is also being addressed. This will make it possible in the future to establish a global information field which is absolutely vital in order to ensure the safety of space activity under conditions of man-made space pollution. Recent results obtained by Russian scientists have shown that by using the potential offered by Russian and American space systems, it will be possible to reduce from 28 to 3 per year the number of manoeuvres by the future International Space Station to avoid catalogued space debris objects.

As concerns the possible consideration of the question of space debris by the Legal Subcommittee, my delegation continues to believe that any consideration of the legal aspects of the problem is premature and inadvisable, until such time as this issue has been fully discussed in the Scientific and Technical Subcommittee.

The CHAIRMAN: Thank you for your interesting statement on this important issue. I would like to inform the Committee that last month a new issue on space debris emerged from the General Space Forum. This contains many articles by leading experts and is most informative. I now give the floor to the distinguished representative of China.

Mr. PENG Yiqi (China) *(interpretation from Chinese)*: My delegation expresses its satisfaction with the results achieved at the last session of the Scientific and Technical Subcommittee.

During the past decade we have witnessed an increased demand for space technology. Since the holding of UNISPACE 82, many countries and relevant United Nations organizations have engaged in long-term activities for the peaceful uses of outer space, through the implementation of the Programme on Space Applications. My delegation greatly appreciates the accomplishments of these organizations in promoting this Programme. The Chinese Government has always

supported and actively participated in the implementation of the Programme.

Although China is not a rich country, it has made substantive contributions to the Programme on Space Applications in 1996. In October last year, the forty-seventh IAF Congress was held in Beijing; it was a large-scale event attended by over 2,000 participants from 54 countries. China not only successfully organized and arranged the Congress but also co-sponsored the workshop on education and awareness of space applications and technology in the developing world, in cooperation with the Office for Outer Space Affairs.

As a substantive contribution to the Programme, the Chinese Government bore the cost of 23 delegates from 19 developing countries. In 1996 China continued to provide seven one-year fellowships on remote sensing and GIS to countries of the Asia and Pacific region. Technical personnel from five countries received one-year training on remote sensing and GIS in [Wuhan?] Technical University on surveys and mapping. All the expenses were borne by the Chinese Government, who will continue to provide these fellowships in 1997.

As concerns the coordination of space activities within the United Nations system, my delegation supports the position held by the majority of the developing countries that it is necessary to ensure continuous and effective consultation and coordination in outer space activities. This will maximize the benefits of more efficient use of the limited resources available for outer space activities within the United Nations system.

With regard to remote sensing, as Earth observation is of increasing significance to the developing countries, my delegation endorses the view expressed in the report of the Scientific and Technical Subcommittee. Countries with satellite capabilities should provide remote sensing data and analytical information to the developing countries at reasonable cost and in a timely manner. In China, remote sensing, GIS and GPS technology and their applications have already been incorporated into our ninth national five-year plan for scientific and technical advance. Applications in such fields as resource and environmental monitoring, food production estimation, and disaster warning and monitoring are now underway. Studies are also being organized on aspects such as maritime environment remote sensing and radar applications.

The Chinese ground station for the remote sensing satellite was set up and put into operation ten years ago, and it has provided much data to its users in national economic sectors.

The ministerial conference on space applications for development in Asia and the Pacific, organized by ESCAP and held in September 1994 in Beijing, was a major international event on the subject of space applications. It was also a significant achievement in this field in our region. Since then, China has implemented the priority projects proposed by the Beijing Declaration and Programme of Action. A coordinating role has been played in the RESAP workshop on the application of meteorological satellites.

Tangible results have been achieved in the use of nuclear power sources in outer space, as was mentioned by the Chinese delegation during the last meeting of the Scientific and Technical Subcommittee. We favour restricted use of nuclear power sources in outer space, and endorse the position taken by the Subcommittee as concerns the two Conventions. My delegation believes that further studies should be carried out on this important issue, and is ready to cooperate with our counterparts in other countries.

My delegation is very interested in the discussions on space transportation systems. China is continuing to develop and improve the [Longmach?] series of launching vehicles. On 12 May 1997, [Longmach 3A?] successfully launched FDH 3 satellite. This satellite is one of the new generation of communication satellites; it has 24 transponders and has an operational expected life cycle of eight years. The satellite has now entered the geosynchronous orbit and this new meteorological satellite will be able to send information to China and its neighbouring countries free of charge.

My delegation supports the recommendation of the Scientific and Technical Subcommittee to include the issue of identification of scientific and technical aspects of the applications of space-based meteorology as a theme deserving special attention at its next session. As we have carried out many studies on this issue, China intends to make special presentations.

My delegation is particularly interested in the development of space science. On 20 October 1996 we launched a returnable technical experimental satellite, the seventeenth satellite launched by China. It conducted various experiments in the space environment, in areas such as crystal growth, crop seeds and medicine. The satellite returned successfully on 4 November. Cooperation with colleagues in other countries will continue in this field.

Space debris is a matter of increasing importance, and my delegation welcomes the discussion of this subject by the Subcommittee. Although space activities

carried out by China are on a modest scale and create only a very small proportion of debris, we nevertheless attach great importance to this issue. China has actively been seeking ways and means to reduce and manage space debris and have taken measures to reduce its generation.

Since UNISPACE 82 remarkable progress has been achieved in implementing the Programme on Space Applications and its various recommendations. The development of space technology and its applications is advancing rapidly, and international cooperation has also been intensified. My delegation endorses the work of the Scientific and Technical Subcommittee in preparation for UNISPACE III, in which we will participate actively. We hope this Conference will be a meeting of practical relevance with a specific, action-oriented mandate.

The CHAIRMAN: I now give the floor to the distinguished representative of Ecuador.

Mr. L. ARIZAGA (Ecuador) *(interpretation from Spanish)*: My delegation would like to thank Dr. Abiodun for the information he gave us yesterday on activities undertaken in the field of space applications. These activities are of great importance and benefit to the developing countries. Ecuador has submitted a report on the work carried out by the Centre for Integrated Surveys of Natural Resources by Remote Sensors (CLIRSEN) during the past year. This information is contained in document A/AC.105/661.

My delegation took an active part in the last session of the Scientific and Technical Subcommittee where, following intensive negotiations, agreement was reached on the objectives, form, venue, timing, participants, annotated provisional agenda, financial aspects and other issues relating to UNISPACE III. The progress made was due not only to the constructive approach of delegations which participated in those negotiations, but also to the documents prepared and assistance provided by the staff of the Office for Outer Space Affairs. We welcome the results obtained and believe that the recommendations made by the Advisory Committee should be endorsed by COPUOS.

Ecuador attaches great importance to the preparatory conference to be held in Latin America and the Caribbean before UNISPACE III takes place. My delegation has taken note of the offer by Chile to host this conference; Chile is a country which has always been actively involved in the area of space and its applications, and successfully organized the second Space Conference of the Americas in 1993.

In conclusion, my delegation would like to thank the Secretariat for document A/AC.105/1991/CRP.4, which contains information on background papers which the Secretariat will prepare and distribute during the first half of 1998. We would like to repeat that item 7(d) of the annotated provisional agenda should be borne in mind and a background paper should be prepared on that subject.

The CHAIRMAN: The next speaker on my list is the distinguished representative of France.

Mr. P. LOUET (France) *(interpretation from French)*: My delegation would like to join other speakers in thanking Dr. Abiodun for his interesting and detailed statement. We have taken due account of his message as concerns the Programme on Space Applications and will consider ways and means of strengthening the synergies between work on bilateral cooperation under way in France, and multilateral cooperation within the framework of budgetary constraints faced by all.

As concerns nuclear power sources in space, France favours expansion of the Principles adopted by the General Assembly in 1992 (resolution 47/6B). This can be achieved by adding new sections on possible fields of application, such as the use of nuclear power sources on the Moon; existing provisions should not be re-examined. My delegation would therefore like to see further examination of this item by the Subcommittee.

Space debris is the most important issue on the agenda of the Subcommittee. My delegation stressed in its statement on agenda item 5 that cooperation with the Inter-Agency Coordination Committee on Space Debris should make it possible to have a better understanding of the subject. When appropriate, further thought should be given to the respective roles of the IADC and the Subcommittee on the short- and medium-term evaluation of the problem of space debris.

As has already been stated by many delegations, the first being that of the Russian Federation, that before this question is put on the agenda of the Legal Subcommittee it is indispensable to have all the necessary technical data for a true appreciation of the scope of the problem.

Concerning preparations for UNISPACE III, my delegation would like to thank Dr. Jasentuliyana for his excellent presentation, which was both detailed and objective. Nearer the time certain other issues will need to be addressed, such as language, modalities, sending of invitations, and number and type of committees —

although discussion on this latter point will necessarily be limited due to budgetary constraints, as mentioned by Dr. Jasentuliyana.

My delegation believes that the Committee must continue to focus on the main purpose of the Conference. We must take stock of our knowledge in the area of space and its applications and educate both public opinion and those responsible for space activities on the importance of space applications for development.

This objective can only be fully realized within the perspective of cooperation, whose purpose and scope have already been well defined by the General Assembly when it adopted the resolution submitted to it on the spin-off benefits of space technologies. My delegation felt it was vital that this resolution be adopted before any commitment was made to UNISPACE III. It would be wrong to attempt to redo the work already carried out by COPUOS and the General Assembly, which has met with the satisfaction of all concerned.

Regarding the holding of regional conferences in preparation for UNISPACE III, my delegation does have some query, unless it has misunderstood what was decided at the last session of the Scientific and Technical Subcommittee. We have deliberately limited the scope of the Conference, and its costs: therefore, are three preparatory conferences really warranted? What would be their purpose? And above all, who will be paying for the cost of these conferences? My delegation feels that funds used for such preparatory conferences could be put to better use for UNISPACE III, as it is the Conference itself to which we should devote all possible efforts rather than fragmenting our resources.

In conclusion, my delegation is ready to participate constructively in all preparatory work for UNISPACE III.

The CHAIRMAN: The next speaker on my list is the distinguished representative of Romania.

Mr. M.-I. PISO (Romania): As my delegation has already mentioned, Romania is promoting the development of national, regional and global cooperation, not only for space applications themselves but also for research and education. The United Nations Programme on Space Applications states that an essential prerequisite to successful space develop-ment is the building of various indigenous capacities, particularly as concerns human resources, within each region.

In this context, Romania is committed to constantly promoting efforts towards capacity building, in particular as concerns the development of the recently established Network of Space Education and Research Institutions in Central-Eastern and South-Eastern Europe. The Expert on Space Applications and other delegations have already mentioned the technical study which is being developed in cooperation with the Office for Outer Space Affairs. This study will define the technical infrastructure and organizational structure of the Network, which should represent an integrated capacity-building generator to produce both experts on space and space projects.

The Network is open to all countries who express an interest in participating. It will contribute to the integration of national and regional space projects into the space programmes developed by the major space-faring organizations. At the continental level, the Network will complement the efforts of the Central and Eastern European countries to integrate into the European Space Agency system. It could thus be a significant factor in improving scientific and technical development, and the goodwill of the region as a whole.

The CHAIRMAN: I now give the floor to the distinguished representative of India.

Mr. M. NAIR (India): My delegation is pleased to note the progress achieved at the thirty-fourth session of the Scientific and Technical Subcommittee, which dealt with many important agenda items. The symposium organized jointly by COSPAR and the IAF on "Space systems for direct broadcasting and global information systems for space research" deserves a special tribute. The presentations and discussions were both high in quality and informative; my delegation welcomes the theme chosen for the next session of the Subcommittee and hopes that the same excellent quality will be maintained.

Extensive discussions took place at the last session of the Subcommittee concerning space debris, and in particular modelling of the space debris environment and risk assessment. Presentations made by various experts have complemented the contributions of Member States. Particular note should be taken of the major findings as regards long-term debris models, as discussed in the Subcommittee. Attention should be drawn in particular to one of the findings, namely that the debris population may grow uncontrolled in the future if space flight is carried out as in the past. This is because of the increasing number of collisions that will occur among larger objects.

Special attention must therefore be paid by all countries to achieving a rapid solution to this problem.

My delegation refers to the confirmed collision of two catalogued objects in orbit which were discussed and recorded in the Subcommittee's report. It is the collective responsibility of all of us to ensure that the space debris problem will not grow into menacing proportions, as many developing countries have great faith in the utilization of space for peaceful developmental purposes.

Turning to the subject of the implementation of the recommendations of UNISPACE 82 and the Programme on Space Applications, my delegation strongly supports the latter Programme, and the work carried out by Dr. Abiodun in its implementation. We express our full support for the activities proposed for the next year.

My delegation welcomes discussions in the Subcommittee concerning the holding of UNISPACE III. The decision that the Conference will take place at the United Nations Office in Vienna in July 1999, for a period of up to ten days, is a momentus decision following many years of detailed discussions. The focused agenda which has been prepared and the recommendations made concerning the form and organization of the Conference reflect the resolve of all delegations to hold a purposeful and useful Conference. The primary objective of the Conference is to promote the effective use of space technology to assist in solving problems of global or regional significance, and to strengthen the capabilities of Member States, in particular the developing countries, to use the applications of space research for economic, social and cultural development. The Conference deserves the full support of all Member States.

My delegation supports the work carried out by the Subcommittee as concerns UNISPACE III and its objectives. The mandate given by the General Assembly for COPUOS to serve as the Preparatory Committee, and for the Subcommittee to serve as the Advisory Committee, is a great responsibility. Full participation of all Member States is necessary, as well as international organizations, intergovernmental and non-governmental organizations and space industries. This is the objective foreseen in the agenda and organizational aspects agreed upon during the meeting of the Subcommittee.

The Committee should therefore endorse appropriate action by the Secretariat to inform and invite those international organizations and industries to undertake preparatory activities, and this should be encouraged and facilitated by Member States as well as by the Secretariat. The Committee should recommend that the General Assembly invite Member States to undertake and support the preparatory activities, including the submission of national papers, in line with the objectives and agenda of the Conference. The Secretariat should request Member States to submit their inputs in advance, in order to assist in preparing the preliminary draft report in time for the next session of the Subcommittee. This draft report could then be circulated among all United Nations Member States following its consideration by the Advisory Committee at its 1998 session.

COPUOS should recommend to the General Assembly that the Secretary-General invite all Member States, United Nations organizations, specialized agencies, intergovernmental organizations and relevant non-governmental organizations to undertake and contribute to preparatory activities. The goals and objectives of the Conference also need to be addressed in an appropriate manner.

My delegations welcomes the efforts of the Secretariat to assist in the planning process for the Conference, and the documents prepared in this connection. We also appreciate the detailed statement made by Dr. Jasentuliyana, which outlined the steps envisaged in the preparatory activities. A timetable and schedule of preparatory work should be prepared by the Secretariat on the basis of this statement. If feasible, this could be circulated before the end of the present session of the Committee and thus could be further developed and refined at the next session of the Advisory Committee.

My delegation shares the views of previous speakers on the significance of the objectives of UNISPACE III and the need for concerted efforts to ensure full participation of all Member States in achieving these objectives. We also endorse the report of the thirty-fourth session of the Scientific and Technical Subcommittee and welcome the outstanding efforts of its Chairman, Professor Rex, as well as Mr. Naseem Shah, who chaired the Working Group of the Whole.

The CHAIRMAN: The next speaker on my list is the distinguished representative of Malaysia.

Ms. M. OTHMAN (Malaysia): My delegation wishes to congratulate the Secretariat on the comprehensive report of the Scientific and Technical Subcommittee, which chronicles the progress achieved and shows clearly that much remains to be done. We are pleased that all agenda items have been retained for further discussion at the next session, in particular the issue of space debris and the use of nuclear power sources in outer space.

At the joint United Nations/ESA microwave remote sensing workshop held in the Philippines in 1996, Malaysia offered to host the third workshop in Kuala Lumpur in 1998. This offer was welcomed by the participants in the workshop and accepted on their behalf by the Office for Outer Space Affairs. In accordance with the wish of the Office for Outer Space Affairs to use space applications programmes as preparatory meetings for UNISPACE III, my delegation proposes to host the regional preparatory meeting for the Asia and Pacific region. The meeting, together with the microwave remote sensing workshop, will take place over five days, and the group of Asian countries which met this morning suggested it be held in April or May 1998.

Further consultations with the Office for Outer Space Affairs and member countries will be held to finalize the form and substance of the meeting, including the extent of involvement of international bodies such as ESCAP.

The CHAIRMAN: Are there any other delegations wishing to speak on agenda items 7 and 9 at this time? I see none. Before proceeding to discussion of the next agenda item, I will ask Dr. Jasentuliyana to respond to some of the queries raised during the statements we have heard.

Mr. N. JASENTULIYANA (Director, Office for Outer Space Affairs; Deputy Director-General, United Nations Office at Vienna): As concerns the questions raised by the distinguished representative of France on the regional preparatory conferences, I would like to recall the agreement reached at the last session of the Scientific and Technical Subcommittee. It was decided, after appropriate consultations, that regional meetings would be held in preparation for UNISPACE III. Several of them were specifically outlined in the Subcommittee, including the ones in Asia, Africa and Latin America and the Caribbean, as reflected in paragraph 34 of the report of the Subcommittee.

Previous practice has always been to hold such regional preparatory meetings, and it was on this basis that the Subcommittee took this decision. As concerns resources, it was understood that these would form part of the activities of the Programme on Space Applications for the 1998-1999 biennium. Therefore these meetings would be organized in the context of available resources for the Programme. The host countries will fund the major part of the conferences. I hope this clarifies this point.

Concerning the statement by the Indian delegation, the Secretariat would be happy to provide a tentative schedule to be distributed during the course of the present meeting. This could then be refined and discussed at the next session of the Advisory Committee in 1998.

The CHAIRMAN: I hope these clarifications have answered the queries which have been raised by delegations. We will now continue our consideration of agenda item 8.

Report of the Legal Subcommittee (cont.)

The CHAIRMAN: The first speaker on my list is the distinguished representative of Japan.

Mr. H. AZUMA (Japan): My delegation would like to express its support for the working paper submitted by Germany relating to the utilization of the geostationary orbit, as contained in Annex II of the report of the Subcommittee's thirty-sixth session. Japan agrees that the draft resolution, entitled "Request to the International Telecommunication Union: Ensuring equitable access to the geostationary orbit", should be submitted to the forthcoming fifty-second session of the General Assembly for adoption. It should also be taken into account that the forthcoming ITU World Radiocommunication Conference will take place in October-November 1997. My delegation concurs with the German proposal that the working group established under the relevant agenda item of the Subcommittee could be suspended.

My delegation would like to recall that, even on a referendum basis, a consensus agreement was reached during the informal drafting group at the last session of the Subcommittee regarding the German working paper. This proposed not the deletion of the agenda item concerning matters relating to the character and utilization of the geostationary orbit, but suspension of its discussion in the working group. This was the result of consultations among Member States in a spirit of compromise.

This being said, my delegation would urge other members of the Committee to agree to recommend the adoption of the German working paper to the General Assembly at its next session. My delegation believes this working paper is an important step towards revitalizing the work of the Subcommittee in the context of the new working methods of COPUOS.

The CHAIRMAN: The next speaker on my list is the distinguished representative of the United States.

Mr. J. KIM (United States of America): My delegation is pleased that deliberations during this year's session of the Legal Subcommittee led to the adoption of the Chairman's package proposal on the working methods of the Committee. The final package included consensus agreement on a new agenda item for the Subcommittee; both that and other components of the package, including duration of sessions, will help advance the objectives of this Committee in the years ahead.

As concerns the work of the Legal Subcommittee, my delegation hopes that the approach adopted by delegations this year reflects a new era in the Subcommittee. Delegations should continue to focus their efforts in areas which will make a useful contribution to accomplishing our important mandate. Open-ended debate on initiatives for which there is little interest or support should be avoided.

My delegation therefore welcomed the cooperation of all delegations in reaching agreement on inclusion of a new agenda item on "Review of the status of the five international treaties governing outer space". In particular we appreciate the initiative of the Mexican delegation in putting forward and developing this proposal. Consensus was reached on a detailed workplan that was well defined in scope, duration and objectives. My delegation supports the decision of the Subcommittee to recommend adoption of this item on its agenda.

As concerns further consultations on additional agenda items for the Subcommittee, my delegation has stressed on previous occasions that such discussions should take place in the Legal Subcommittee only. It would also seem appropriate that an item currently on its agenda be removed before an additional one is agreed. The Subcommittee has discussed inclusion of new agenda items for some time, and my delegation feels that certain other agenda items should be dropped before any new items are contemplated.

In this connection, several delegations have referred to the agenda item on the delimitation of space and the geostationary orbit. We join other delegations in thanking the German delegation for its initiative and hard work in preparing a draft resolution on the geostationary orbit for submission to the General Assembly. This resolution recognizes that the geostationary orbit is an integral part of outer space and acknowledges the role of the International Telecommunication Union in the access of States to orbital and frequency spectrums in the geostationary orbit. My delegation believes this resolution represents a fair means to bring about conclusion of discussion on this item in the Subcommittee, which has been debating it for nearly two decades.

My delegation therefore joins the delegation of Japan in urging other delegations to give further and favourable consideration to the draft German working paper.

In conclusion, my delegation looks forward to working with you, Mr. Chairman, and the other members of the Bureau of COPUOS in the years to come. With your leadership we have every hope of further advancing the peaceful uses of outer space.

The CHAIRMAN: I now give the floor to the distinguished representative of Mexico.

Mr. V. ARRIAGA (Mexico) *(interpretation from Spanish)*: My delegation welcomes the results of previous informal consultations held during the Legal Subcommittee concerning inclusion of the item proposed by the Mexican delegation. We appreciate the support received from those delegations who share the views expressed on this issue.

My delegation believes the item on the geostationary orbit should remain on the Subcommittee's agenda. The use and exploitation of the geostationary orbit can be looked at from various viewpoints within the United Nations system. COPUOS and the ITU should coordinate their activities and exchange information.

COPUOS was created, among other reasons, in order to analyse the legal problems which arise from the exploration and use of outer space. The Committee should analyse the legal aspects of the use and exploitation of the geostationary orbit with a view to producing general principles on this topic, taking into account the legal instruments which govern outer space. At present problems exist concerning equitable access and use, as well as coordination and reuse of the geostationary orbit, which the Subcommittee should address. Maintaining this item on the Subcommittee's agenda is therefore justified.

My delegation believes that at the Subcommittee's last meeting, useful discussions took place on the radiofrequency spectrum and the geostationary satellite orbit. The German delegation submitted a working document, which included a draft resolution containing some important points which deserve consideration by the Committee. Equitable access and efficient use of these resources are matters which have technical and legal dimensions, thus making it necessary for COPUOS

and the ITU to address them in a systematic and coordinated manner.

The draft resolution put forward by Germany identifies aspects relating to assignment, reassignment and [saturation?] of orbital positions. COPUOS must produce principles and formulas to ensure the best possible use of the potential of these resources. My delegation hopes that in the course of the deliberations on this item in the Committee, a solution will be found which will meet the concerns of all delegations.

The CHAIRMAN: The next speaker on my list is the distinguished representative of Greece.

Ms. H. MICHALOPOULOU (Greece): My delegation expresses its full support for the draft resolution submitted by the delegation of Germany during the last session of the Legal Subcommittee, in the form of a request to the ITU to ensure equitable access to the geostationary satellite orbit. Given that Greece has more than once presented proposals concerning the role of the ITU, and given also its contribution to the drafting of the relevant working paper, my delegation hopes to see this resolution endorsed by the present session of the Committee so that it may be submitted to the next session of the General Assembly for adoption. It could then be forwarded in good time to the World Radiocommunication Conference of the ITU this autumn, thus concluding or suspending consideration of this item by the Subcommittee.

Turning to the question of new items for the Subcommittee's agenda, my delegation would like to propose inclusion of the issue of conversion into a convention of the declarations of principles for direct broadcasting, as well as those for remote sensing, for possible future discussion.

With regard to the new agenda item "Review of the status of the five international treaties governing outer space", my delegation expresses its appreciation to the Mexican delegation's initiative, which led to its adoption. We would like to propose the establishment of a working group to analyse and evaluate the present situation, including examination of the possibility of starting a gradual codification of the rules of international space law.

The CHAIRMAN: The next speaker on my list is the distinguished representative of Colombia.

Ms. A. BONILLAN (Colombia) *(interpretation from Spanish)*: Since this is the first occasion upon which my delegation has taken the floor, I would like to congratulate the new members of the Bureau on their election. Colombia wishes you every success.

As concerns the geostationary orbit, as was stated by the Chairman of the Group of 77 at the opening meeting, and in accordance with the position adopted during inter-sessional consultations within the group, my delegation believes that new items should be added to the Subcommittee's agenda. The current items on the agenda should also be maintained, in particular that relating to the geostationary orbit.

A document was submitted by Colombia (A/AC.105/C.2/L.200), and we feel that discussions on this topic have not yet been exhausted: on the contrary, there should be further discussion. It is for the Legal Subcommittee to examine the normative and legal questions relating to the geostationary orbit, in particular the equitable access to frequencies and the geostationary orbit itself, bearing in mind the needs of the developing countries. My delegation believes that finalization of this item is premature; the proposals contained in document A/AC.105/C.2/L.207/Rev.2, submitted by the German delegation, should be studied in greater detail. So far this document has only been discussed at one session of the Subcommittee and no decision should be taken on so important a subject, not just for Colombia but for other equatorial countries, until further discussion has taken place.

In conclusion, my delegation believes that consideration of the geostationary orbit should be maintained not only on the agenda of the Legal Subcommittee but that such discussions should also provide the legal and normative basis for ITU to carry out its technical work on this important issue.

The CHAIRMAN: Thank you for your statement and for your kind words addressed to the members of the Bureau. The next speaker on my list is the distinguished representative of Ecuador.

Mr. S. MARTINEZ (Ecuador) *(interpretation from Spanish)*: The matters being discussed in the Legal Subcommittee have been and remain of great interest to Ecuador, and my delegation has the following comments to make thereon.

COPUOS has concluded a long and difficult phase of informal inter-sessional consultations concerning its working methods. This process has taken one year and meetings were held in both Vienna and New York. Along with other delegations, my delegation played an active role in and took a constructive approach to these consultations. The Chairman's package proposal

which resulted from these consultations was adopted by all Member States at the beginning of this meeting. This proposal contains interrelated elements, various points of view and includes three main topics: the composition of the Bureau, structure of the agenda, and duration of sessions of the Committee and its Subcommittees.

Reaching consensus was not an easy task, but it was nevertheless achieved. Throughout the consultations, my delegation emphasized the need to include new items on the agenda of the Subcommittee. It was then decided to include on its agenda the subject put forward by the Mexican delegation, "Review of the status of the five international treaties governing outer space". My delegation supported this proposal from the outset, and would point out that the package proposal does not recommend the suspension or elimination of any item on the agenda of the Subcommittee.

At the beginning of this meeting, the distinguished representative of Bolivia, who is the Chairman of GRULAC, pointed out that GRULAC was not in favour of the elimination of the agenda item concerning the geostationary orbit. To do so would run counter to the position adopted by GRULAC during the inter-sessional consultations, and this subject should continue to be analysed in the Committee itself. The distinguished representative of Brazil likewise pointed out that the Group of 77 feels this item should continue to be examined; no item should be removed from the Subcommittee's agenda until a substantive debate on it has taken place. My delegation concurs with these two points of view, and many other delegations have echoed this sentiment.

The issue of the geostationary orbit is of great interest to Ecuador because it is an equatorial State. My delegation believes that the slow pace of discussion on item 4 of the Subcommittee's agenda, "Matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union", is due to the complexity of both questions. It should nevertheless be recognized that certain progress has been made and that some countries have modified their positions and moved closer to a consensus position.

Ecuador believes that consideration of the geostationary orbit should be dealt with jointly along with the definition and delimitation of outer space, not only because tradition is that these two subjects are considered jointly, but also because the subjects are intrinsically interlinked. Discussion of the non-delimitation of outer space can only prove advantageous to those who, by virtue of their technological resources, can make unrestricted use of outer space. Although those States who actually have access to outer space may be few, it is nevertheless necessary to define and delimit the area within which activities having legal, political and economic consequences can be carried out.

Outer space activities have increased considerably and become more complex, and thus the question of definition and delimitation is more important than ever. Activities which can be undertaken under the regime of the sovereignty of States need to be defined, as well as those falling under *res communis omnium* under an international regime. My delegation believes that the obstacles to this are political in nature rather than legal, and as such should be dealt with by those States concerned. A full analysis of the questionnaire on possible legal questions relating to aerospace objects should be undertaken under agenda item 4 of the Subcommittee — both those replies already received and those to be forwarded in due course.

There is some concern among the international community to protect the geostationary orbit from pollution due to the increasing amount of space debris abandoned in this limited natural resource; COPUOS must intensify its efforts in this direction. This work cannot be covered by ITU, whose scope of action is limited to technical aspects. The responsibility of States does not end with the useful life of satellites; the launching State maintains jurisdiction and control of all objects which are in outer space or other celestial bodies.

My delegation favours the establishment of a *sui generis* regime governing the access to and use of the geostationary orbit. Such a regime should take into account its legal aspects, its status as a limited natural resource, its particular technical characteristics, as well as the special geographical situation of the equatorial countries. This international status cannot merely be based on technological advantages on a "first come, first served" basis. It must also take into account the relative disadvantages of developing countries and the geographical situation of the equatorial countries.

This subject requires additional discussion, taking into account the various proposals submitted, and my delegation stresses the importance of maintaining the item on the geostationary orbit on the Subcommittee's agenda. Consideration of this item also falls within the competence of COPUOS and its subsidiary organs. We

are therefore unable to support its elimination or suspension from the Subcommittee's agenda.

As concerns the German proposal, "Ensuring equitable access to the geostationary satellite orbit in practice – Request to the International Telecommunication Union", my delegation considers that further discussions are necessary. There must be sufficient time to analyse this proposal and any agreement reached must take into account the views of all Member States. Any decision taken on so important a subject should not be taken hastily. We are ready to continue the dialogue with Germany in order to reach an agreement on this issue in the future. If necessary, the Subcommittee can continue to give this subject the necessary attention. The German proposal has certainly intensified the debate on this issue, and has demonstrated the interest accorded to it by countries from all regions.

The CHAIRMAN: The next speaker on my list is the distinguished representative of Malaysia.

Ms. M. OTHMAN (Malaysia): My delegation wishes to reiterate the position it took at the last session of the Legal Subcommittee: the working group should continue its consideration of the geostationary orbit. Certain unresolved issues still exist concerning the draft resolution, and thus further consultations are warranted. We welcome the Mexican proposal to review the status of the five international legal instruments governing outer space, with the objective of identifying reasons for non-ratification and with the aim of proposing mechanisms for achieving the fullest adherence to them.

Malaysia views with concern the report of a recent launch in April 1997 of a canister containing human remains into space on Pegasus XL. We urge members of COPUOS to discuss this matter in the appropriate forum to consider whether there should be limitations to such launches in future, and to carry out detailed scientific investigations into the full impact of such an activity. The findings of the study should be disseminated as widely as possible.

Space is the common heritage of mankind. While we are not averse to commercial activities in space, we should nevertheless endeavour to put in place meaningful mechanisms to monitor this kind of activity and to ensure the widest possible consultation and participation of all nations of the world.

The CHAIRMAN: I now give the floor to the distinguished representative of Brazil.

Mr. S. MERCADOR (Brazil): My delegation shares the views expressed by the delegation of Ecuador on the need to keep discussion of the geostationary orbit on the agenda of the Legal Subcommittee. Brazil has always supported retention of this subject on the Subcommittee's agenda, as well as due attention being given to it by the ITU.

General Assembly resolution 38/80 of 15 December 1983 states that the Legal Subcommittee of COPUOS is an appropriate forum for discussion of the recommendations of users of the geostationary orbit, together with the work carried out by the ITU.

The CHAIRMAN: Are there any other delegations wishing to speak on this agenda item at this time? I now give the floor to the distinguished representative of the International Telecommunication Union.

Mr. G. KOVACS (Observer, International Telecommunication Union (ITU)): I appreciate this opportunity to address the Committee and to make some observations on the role of the ITU and its legal framework concerning the management of the radio-frequency spectrum and orbit resources. This observation is made in relation to the work of the Legal Subcommittee of COPUOS, in particular as concerns its agenda item 4 on the utilization of the geostationary satellite orbit.

As stipulated in its Convention, the role of the ITU, as a specialized agency of the United Nations for telecommunications and in relation to space telecommunications, is to effect the allocation of frequency bands and the registration of satellite frequencies and associated orbit positions. It also coordinates efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio frequency spectrum and of the geostationary orbit. It harmonizes the development of telecommunication facilities, notably those using space techniques, and undertakes studies, makes regulations, adopts resolutions and formulates recommendations on space telecommunication matters.

The ITU Member States carry out the duties of frequency spectrum and orbit allocation, regulation and management through Plenipotentiary Conferences, World Radiocommunication Conferences, study groups of the radiocommunication sector and other organs of the Union. The main legal instruments of the Union in connection with these tasks are the Constitution and Convention of the ITU and the International Radio Regulations, which are international treaties binding on all Member States of the Union and in which the rights

and obligations of Member States concerning the usage of frequencies and orbit positions vis-à-vis other administrations are contained.

ITU's legal instruments are established by the above-mentioned Plenipotentiary and World Radiocommunication Conferences; their final acts are signed by duly authorized delegations and are further ratified by Member States of the Union. The ITU regulations thus constitute an independent legal regime. Nevertheless, being a specialized agency of the United Nations with an almost identical membership, the legal instruments established within the ITU are not contradictory to those of the United Nations or any other international agencies. In fact the major principles contained in the ITU regulations take account of those embedded in various United Nations declarations and treaties.

The most important United Nations treaty, which was taken as a basis for the space-related regulations of the ITU, is the Outer Space Treaty of 1967. This stipulates that outer space shall be used for the benefit and in the interest of all countries, and is not subject to national appropriation by claim or by occupation but is free for exploration and use by all States in conformity with international regulations.

Similar substantive principles are also laid down in the ITU Convention and Constitution and the Radio Regulations — namely the principles of efficient use and equitable access contained in Article 44 of the ITU Constitution. This provision stipulates that radio frequencies and the geostationary orbit are limited natural resources which must be used rationally, efficiently and economically in conformity with the provisions of the Radio Regulations. In this way countries or groups of countries may have equitable access to both, taking into account the special needs of the developing countries and the geographical situation of particular countries. Another important principle appears in the same Article of the Constitution, according to which Member States shall endeavour to limit the number of frequencies and the spectrum used to the minimum essential to provide, in a satisfactory manner, the necessary services.

Progressive exploitation of the orbit/frequency resources and the resulting likelihood of congestion of the geostationary satellite orbit have resulted in the creation of frequency/orbital position plans, in which a certain amount of frequency spectrum is set aside for future use by all countries, particularly those not yet in a position to make use of such resources. These plans — established mainly in response to the needs and requirements of the developing countries, and in which each country has a predetermined orbital position associated with the free use at any time of a certain amount of frequency spectrum — guarantee equitable access for each country to the spectrum/orbit resources.

Two such plans have already been established by the ITU; the so-called Allotment Plan for the fixed satellite service using parts of the 4/6 and 10/13 GHz frequency bands, and the Assignment Plan for the broadcasting satellite service in the 12 and 18 GHz bands.

With the dramatic development of telecommunications services, increasing demand for spectrum/orbit usage for practically all space communication services has been observed. The increase is attributable to many factors and includes not only technological progress but also to political, social and structural changes. Such developments in the area of telecommunications include the end of public service monopolies, the liberalization and globalization of the telecommunications sector, the introduction of non-GSO satellite systems for commercial communications, and growing market orientation. These developments led the last Plenipotentiary Conference of the ITU (Kyoto, 1994) to call for a new in-depth review of the ITU spectrum/orbit resource allocation procedures.

This review has now been completed. It shows that measures are needed to keep the ITU procedures relevant in the rapidly changing telecommunication environment. Several specific recommendations have been formulated with a view to their implementation by the forthcoming World Radiocommunication Conference, which will take place in Geneva from 27 October to 21 November 1997. The most important measures recommended are as follows.

Firstly, the introduction of "due diligence" procedures to ensure linkage between ITU procedures and commitments to implement real satellites and eliminate the so-called paper satellites. Second, simplification of the coordination procedures and the planning process concerning the allocation of orbit and spectrum resources. Third, the gradual introduction of international measures for monitoring operational satellites and, lastly, further measures to reinforce the equitable access to and efficient use of the orbit and spectrum resources. The final report of the review containing its specific recommendations will be submitted to the forthcoming Conference for decision, and will incorporate new solutions into the ITU legal regime in order to increase efficiency and equity in spectrum/orbit utilization, and to respond to the

requirements of the changing telecommunication and business environment.

In conclusion, in response to the request of last year's session of COPUOS, substantial documentation on the regulatory procedures of the ITU has been prepared jointly by the Office for Outer Space Affairs and the ITU Secretariat. This document describes in detail the above-mentioned principles and regulations of the ITU and was submitted to the 1997 session of the Legal Subcommittee; it was well received by the Subcommittee and contributed to substantive discussions under item 4 of its agenda.

The ITU Secretariat expresses its appreciation for this opportunity to participate in the discussions and to contribute to the work of the Subcommittee.

The CHAIRMAN: Are there other any delegations wishing to speak on this agenda item at this time? I see none. I have been told that delegations would like to meet this afternoon: they can meet in Room C-0713 to hold informal consultations on UNISPACE III. In order to provide time for consultation, we will meet this afternoon at 3.30 p.m. This will also allow those delegations attending the meeting of the Group of 77 the necessary time for that meeting.

It is my intention to close discussion on agenda items 7, 9(a) and 8 today, with the cooperation of all delegations. Agenda item 9(b) will be kept open if necessary. This afternoon we will begin our discussion of agenda items 10 and 11.

The sitting adjourned at 12.15 p.m.